

1884-024 Chancery Causes: John D. Sharp vs. William P. Miller  
Lee Co.

CA-Debt  
T-Property

-Deed



To the Hon John A. Kelly Judge of the circuit  
Court of Lee County Virginia

Your Orator John D. Sharp humbly complaining  
respectfully sheweth to your Honor that on the  
2nd day of October 1875 he sold to one William  
P. Miller a certain piece or parcel of land lying  
and being in said County of Lee, and on the day last  
aforesaid the said William P. Miller executed to  
your Orator a bond for the purchase price thereof  
which is in the words and figures following "I  
hereby agree to pay John D. Sharp at the rate of  
eleven dollars, with interest from date per acre, ~~the~~  
two years from date, for a certain lot or parcel  
of land this day sold by said Sharp to me for  
which I hold as of this date his title bond, and  
as to this debt I hereby waive the benefit all  
homestead and personal property exemptions, with  
my hand and seal this 2nd Oct 1875. Wm. P. Miller (Seal)"

Your Orator further states, that by an endorsement  
in writing endorsed on the back of said bond in  
the words following to wit "We J. D. Sharp & Wm. P. Miller  
mutually agree that the within mentioned land  
measured Seven and one half acres, J. D. Sharp & Wm. P. Miller  
that the said William P. Miller thereby acknowledged  
taken in connection with the face of said bond that  
he was indebted to your Orator in the sum of  
\$82.50 with interest from Oct. the 2nd 1875, and  
payable two years thereafter, which bond with  
said endorsement is herewith filed marked (A) and  
prayed to be considered as part of this bill.



Your Orator further states that at the time said bond for purchase price of said land was executed the said William P. Miller paid to him \$20.21 which is credited on the back thereof, and subject to this credit, the ~~balance~~ <sup>the entire</sup> of said purchase money for said land is now due and owing to your Orator,

Your Orator further states, that by deed bearing date April the 15th 1878. he conveyed to said William P. Miller the 7 1/2 acres of land referred to in said bond and agreement, reserving to himself the vendors lien for the unpaid purchase money and accruing interest thereon, and this deed your Orator filed in the clerks office of the county court of Lee County, to be delivered to the said William P. Miller when said purchase money should be paid, and the said deed of conveyance is herewith filed as a part of this bill marked (B)

Your Orator further states, that he is advised that he has a valid and subsisting lien on the 7 1/2 acres of land described in said Exhibit (B) and to enforce that lien is the object of this bill. Your Orator prays therefore is, that the said William P. Miller be made a party defendant to this bill and that he be required to answer the same fully on oath that upon a hearing thereof a decree be rendered in favor of your Orator against said William P. Miller for \$82.50. with legal interest thereon from Oct 2 1875 till paid, subject to a credit of \$20.21 paid Oct 2-1875 that said land or so much thereof as is necessary



be decreed to be sold to pay said debt, and your  
prayer for all general and special relief. May  
the Commonwealth writ of Subpoena issue directed  
Morgan for Jeff



\$41.15 paid to me. Decr 22 1881 out of which I returned attor  
 fees of \$15.00 and I paid \$26.00 Mr. J. S. & J. H. Miller so leaving \$26.15  
 to go as a credit on the debt owed me.

4.50  
 15.00  
 50  
 \$20.03  
 Estimated 7.50  
 \$27.53  
 Cor ch 36 July 1881  
 \$27.89  
 add for ch 3.30

John D. Shafer  
 vs. Bill in Chij  
 William P. Miller  
 1880. Feb. Bill Filed, \$100  
 Executed & Decree nisi.  
 " Mr. Decree nisi confd & set  
 for hearing by Plff.  
 " Mar. Decree & Contd.  
 " Aug. Contd.  
 1881 Mr. Contd. Aug Contd  
 1882. Mr. contd Aug & Nov. Contd  
 1883. Mr. Aug & Nov. contd.  
 1884. March Decree final



John D. Sharpe    Plff }  
vs. } In Chy.  
Wm. P. Miller    Deft }

It appearing from a written statement of the  
Plffs attorney filed in the cause marked (A-B) that  
the deft Miller has fully paid the debt and costs  
owed the Plff, April 1880. It is therefore ordered  
that the Plffs bill be dismissed & the cause stricken  
from the docket. And the clerk of this court will  
deliver to the deft Miller the plaintiffs deed to him  
filed as an exhibit with his bill as exhibit (B)

John D. Sharp

as { Decm to 2 final

~~Wm. P. Miller~~

Entered page 367.

J. A. Hyatt  
Clerk

Enter this

J. A. E.

Mar 26/84



John D. Sharpe vs. W. P. Miller In Chy

This cause came on this day to be heard upon the Peffs bill and exhibits therewith and was argued by counsel and its appearing to the court that the Deft has been duly served with process, and the cause regularly matured and set for hearing, and the deft still failing to appear and answer the Peffs bill is therefore taken for confessed. On consideration thereof it is adjudged ordered and decreed that the plaintiff recover of the defendant \$82.50. with legal interest thereon from the 2nd day of Oct 1875 till paid subject to a credit of \$20.21 paid Oct 2nd 1875. and it is further adjudged that the peff recover of the deft the costs of this suit, And this recovery being for the purchase price of land as to which the peff has a specific lien reserved. It is therefore further adjudged ordered and decreed, that unless this decree be paid to the plaintiff, within 20 days from the rising of this court then that the 7 1/2 acres of land mentioned in the Peffs bill be sold on a credit of 6 and 12 months time with interest from date of sale except as to so much as will pay the costs of suit and sale which will be required in cash, and to enforce this decree Henry J. Wargum is appointed a commissioner to sell said land and before doing so he will advertise the time terms and place of sale for 30 days prior thereto at the court house door and at one other place near where the land lies, and he will report his action to the court and the cause is continued.



John D. Sharp

vs { Deere

Wm. P. Miller

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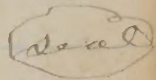
Entered on p 115  
Teste Jas. W. Orr, Clerk

Enter  
for A.K.  
Sept. 1/80



I hereby agree to pay John D Sharp at the rate  
of Eleven Dollars <sup>with interest from date.</sup> per acre two years from date  
for a certain lot or <sup>or</sup> parcel of land this day sold by  
said Sharp to me, for which I hold as of this date  
his title bond. And as to this debt I hereby waive  
all homestead and personal property exemptions.  
Witness my hand and seal this 2<sup>nd</sup> Oct<sup>r</sup> 1875.

Jm P. Keller





we shall expect Mr. G. to collect  
actually agree that the western rock  
found in western brown and  
one half - also see <sup>20. 8. 1873</sup> Mr. G. Miller

Wm. P. Miller  
L. J. Bond  
J. D. Shaffer

Cr. Oct 2nd 1873 - by

1873

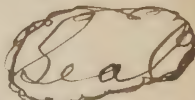
(A)



This deed, this day made & entered  
into on this day, by and between John  
D. Sharp of the one part, and William  
P. Miller, of the other part, both of Lee County,  
Virginia, witnesseth that said Sharp, for &  
in consideration of the sum of Eighty two  
+  $\frac{50}{100}$  Dollars, for which said Miller  
has executed his bond to said Sharp, due  
with interest from Oct 2<sup>nd</sup> 1876 } the payment of  
2<sup>nd</sup> day of October — 1877, and for which  
sum, said Sharp hereby retains a lien  
on said land, doth grant, bargain and sell  
to said Miller, and by these presents does  
grant, bargain, sell and convey to said Mil-  
ler, all his right, title & interest in & to a cer-  
tain tract or parcel of land, in Lee County  
Virginia, about 2  $\frac{1}{2}$  or 3 miles, Northeast  
of Jonesville, containing about ~~10~~  $\frac{7}{8}$  acres, more, or  
less, and bounded as follows, to wit, Beginning  
at a Poplar, Black Oak, & Chestnut (Black Oak &  
Chestnut down & gone.) Thence N 38° W 36 poles  
to a Black Oak, on an old line, Thence S 43° W 62 po  
to a Black Oak and White Oak Sapling, (both  
gone) Thence Eastwardly to the Beginning.  
To have & to hold the said tract, or parcel  
of land, with all its appurtenances to the  
said Miller and his heirs, <sup>assigns</sup> forever. And  
said Sharp hereby warrants generally  
the title to said tract, or parcel of land to  
said Miller. But it is distinctly understood  
that said Sharp retains a lien on said  
land to receive the payment of the said sum



its interest. Witness my hand and seal  
- chase money. This 15<sup>th</sup> day of April, A.D. 1878.

John D. Sharp 

See County Court clerk's office the 22<sup>nd</sup> day of June 1878

I James W. Orr Clerk of the County Court of Lee County in  
the State of Virginia do certify that John D. Sharp whose name  
is signed to the foregoing deed bearing date April the 15<sup>th</sup> 1878  
personally appeared before me in my said office and acknow-  
-ledged said writing to be his act and deed

James W. Orr Clerk

John P. Miller

James W. Orr

John D. Sharp

(B)

June 22 1878



John D. Sharp      Peff  
vs.  
Wm P. Miller      Deft } In lch

To the Hon, John A Kelly Judge of the Circuit  
court of Lee County.

Since April 1<sup>st</sup> 1880 the date of the decree  
in this cause, the Deft Miller has fully paid  
the debt and costs decreed the Peff thereby.

Henry J. Morgan atto  
for Peff Sharp

Feb 20 1884



J. D. Sharp

as { statement of atts.

H. P. Miller

(AB)



# The Commonwealth of Virginia :

To the Sheriff of Lee County—Greeting.

We Command you to Summon

*William P. Miller*

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court-House, on the first Monday in *February*  
next, being rule day, to answer a bill in Chancery, exhibited in our said Court against *him* by

*John D. Sharp*

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-House, this *28<sup>th</sup>* day  
of *January* 1880, in the 104<sup>th</sup> year of the Commonwealth.

*James W. Orr* Clerk.



John D. Sharpe

vs. } Spa in Ohio

Wm P. Miller

Feb. Rules 1880.

Executed by  
delivering an office  
copy of the within to  
Wm P. Miller on July  
2nd 1880  
J. D. Sharpe  
per L. E. G. & Co